

TRANSPORTING CHILDREN UNDER 16 YEARS OLD INCLUDING EXEMPTIONS FOR CHILD RESTRAINTS AND BOOSTER SEATS

POLICY AND PROCEDURE[®]

DOCUMENT SUMMARY/KEY POINTS

This policy is intended to assist in safe discharge of children from the Sydney Children's Hospital Network (SCHN).

- Children are to be transported home from hospital in an Australian Standards approved child restraint.
- If a child has a medical condition that prevents safe use of an Australian Standards approved restraint, a modified child restraint may be used.
- Indicators for modifications/customization to child restraints or booster seats, may include but are not limited to:
 - i. Difficulty maintaining an upright seated posture (where age/developmentally appropriate)
 - ii. Additional aids or equipment e.g. spicas/braces
 - iii. Life support/ventilation equipment attached to the child
(for more specific information regarding this client population please refer to: TransPOT seating group "[Transporting safety guidelines for people with a disability, 2nd Edition, 2010](#)")
- All modifications should be documented in the child's medical record.
- Children who are not able to be transported in an approved child restraint or booster seat must be provided with the following:
 - [Medical Certificate](#) signed by a registered medical practitioner.
 - A [Parent/Guardian consent form](#) is completed to acknowledge the seat modifications provided are agreed to by parents and the occupational therapist.

This document reflects what is currently regarded as safe practice. However, as in any clinical situation, there may be factors which cannot be covered by a single set of guidelines. This document does not replace the need for the application of clinical judgement to each individual presentation.

Approved by:	SCHN Policy, Procedure and Guideline Committee	
Date Effective:	1 st October 2015	Review Period: 3 years
Team Leader:	Occupational Therapy Department Head	Area/Dept: Occupational Therapy SCH & CHW

CHANGE SUMMARY

- SCHN policy “Transporting Children with Special Needs” rescinded and is replaced by this policy.
- Included updated legislation regarding car restraints.

READ ACKNOWLEDGEMENT

- SCHN Occupational Therapists must read and acknowledge they understand the contents of this policy.
- Other staff, as appropriate, should be aware of this policy.

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1 Background

- On the 1 March 2010 new legislation was passed which requires all children under seven years of age to be secured in a child restraint or booster seat when travelling in a vehicle. The child restraint laws in NSW are based on federal legislation, and are detailed in the [Road Rules 2014](#).
- [Rule 266 Wearing of seatbelts by passengers under 16 years old](#) provides details on child restraints, booster seats and seat belt requirements.
- [Rule 267 Exemptions from wearing seatbelts](#) provides details on exemptions for passengers from wearing seatbelts, including exemptions on child restraints, booster seats and seatbelt requirements for passengers under 16 years.

2 Safety Standards

- Child restraints available in Australia must meet the Australian/New Zealand Standard 1754:2013 Child restraints systems for use in motor vehicles.
- An approved child restraint or booster seat means that it meets the Australian/New Zealand Standard 1754:2013.
- Further information on use of restraints can be found at Transport for NSW website: <http://roadsafety.transport.nsw.gov.au/stayingsafe/children/childcarseats/index.html>

3 Using child restraints, booster seats and seatbelts

It is the position of the Australian/New Zealand Standard 1754:2013 Child restraint systems for use in motor vehicles regarding child restraint systems that “the fit of a child in a child restraint is largely determined by the dimensions of a child in relation to the restraint system” (Appendix E p. 140)

Size of the child in relation to the child restraint can be monitored using the minimum and maximum shoulder heights. Visible marking of shoulder heights are included in all new child restraints, along with an approximate age range. The shoulder height marking is intended to be the definitive selection criterion.

For child restraints that do not have shoulder markings, the Child Car Seats website has a guide for when children should move to the next child restraint:

<https://www.childcarseats.com.au/faqs#/child-safety/when-can-i-move-my-child-to-the-next-type-of-child-car-seat>

Child Car Seats is an initiative of the Child Restraint Evaluation Program (CREP), a consortium of government agencies and motorist organisations who share a common interest in improving safety for children travelling in vehicles. They work in partnership with Transport for NSW.)

Note: The size of the child is the first factor in deciding an appropriate restraint

If the child is *too small* for the child restraint specified for their age, they should be kept in their current child restraint until it is safe for them to move to the next level.

If the child is *too large* for the child restraint specified for their age, they may move to the next level of child restraint.

- Source: Transport for NSW Centre for Road Safety
<http://roadsafety.transport.nsw.gov.au/stayingsafe/children/childcarseats/index.html>

4 General Guidelines

In general, the following rules apply for children under 16 years of age and are used as a guide for the safety of the child:

Age group	Type of child restraint	Type of seat belt	Can sit in front seat of vehicle
< 6months	Approved rearward facing restraint	In-built 5 or 6-point harness system that is properly adjusted and fastened	No
6months – <4 years	Approved rear or approved forward facing restraint	5 or 6-point harness system	No
4 years - <7years	Approved forward facing child restraint or an approved booster seat	Lap-sash seatbelt OR have his or her upper body restrained by an approved child safety harness that is properly adjusted and fastened	Yes, if all other back seats are occupied by children younger than seven years in an approved child restraint or booster seat.
7 years and over OR 145cm or taller	Approved booster seat or approved child safety harness only	Lap-sash seatbelt OR approved safety harness to be worn in addition to lap belt instead of the sash part of a lap and sash seatbelt	Yes

Generally, a lap-sash seatbelt is used:

- once the child's shoulders no longer fit within the child restraint **OR**
- when the child's eye-level is higher than the back of the seat **OR**
- When the top insertion slots for the shoulder straps are below the level of the child's shoulders.

5 Child restraints designed for children with disabilities

- The AS/NZS 1754:2013 Child restraint systems for use in motor vehicles provides specific information on child restraints that have been designed by manufacturers to be used for children with disabilities. The Standard states that:

“Where child restraints are designed for children with disabilities requiring special needs, the child restraint shall comply with the intent of this Standard (see Clause 5.2.2(b) and Clause 6.3(h))” (p.64).

- Clause 5.2.2(b) states:

“Where a child restraint is specified as suitable for children with a specific disability, e.g. hip spica condition, testing shall be performed with the test dummy simulating the form of disability nominated on the child restraint” (p76)

- Clause 6.3(h) is in relation to information that is to be supplied on packaging, which includes the manufacturer’s details, and clearly states:

“if the child restraint is designed for a child with a disability, the occupant’s disability and any limitations on the use of the child restraint” (p101).

- For further detailed information on restraint use for children with disabilities or medical conditions, refer to AS 4370.

6 SCHN assessment of patient’s seating in transport

- The Occupational Therapist is usually consulted regarding safe transport of children with special needs. The need may be temporary or permanent.
- The Occupational Therapist provides assessment and recommendations to parents regarding the child’s transport needs. This could include temporary additions and changes to existing seating or new specialised equipment to provide body support for permanent conditions. Referral to other agencies for consultation regarding modified vehicles, wheelchair restraint systems, specialised seating, etc. may be provided.
- A Parent/Guardian consent form is completed to acknowledge the seat modifications provided are agreed to by parents and the Occupational Therapist.

7 Exemptions to wearing a child restraint, booster seat or seatbelt

Under certain circumstances, children may not be able to be secured in an approved child restraint, booster seat or use a seatbelt. Examples of these circumstances include:

- Post-operative casts, e.g. hip spicas and other plasters
- Difficulty maintaining an upright seated posture when age/developmentally appropriate)
- Life support/ventilation equipment attached to the child
- Child is transported in a power or manual wheelchair
- Children with behavioural problems, in consult with psychology.

If children are unable to be secured in an approved child restraint, booster seat or use a seatbelt, they may be given an exemption by a medical practitioner. The driver of the vehicle where the child is a passenger must hold a current medical certificate signed by a registered medical practitioner who certifies that the child should not, for medical reasons, be restrained while travelling in a motor vehicle. The medical certificate must be with the child at all times when travelling in the car.

Generally, if a child is unrestrained within a vehicle on medical grounds, they must travel in a rear seat. However, if the medical certificate signed by a registered medical practitioner stipulates that the child should not, for medical reasons, travel in a rear seat, then the child may sit in the front row (Road Rules 2014, 267–2 NSW rule: exemption from front seat position restrictions).

The driver of the car where the child is a passenger must comply with the medical certificate at all times and must be able to produce the certificate for inspection when a police officer or authorised person asks the driver.

8 Authority to sign a medical certificate

In the event that the child is not able to travel in an approved child restraint, the medical practitioner authorised to sign the medical certificate is:

1. Any medical practitioner in the primary treating team for that child, or
2. For after hours, the appropriate Medical Officer on the Wards
3. Please note; a signed medical certificate **and** parent consent applies to all children requiring modifications/exemptions to car restraints.

Refer to the [Medical Certificate template](#) and [Parent Consent template](#) in this document.

A copy of the Medical Certificate must be retained in the patient's medical record.

The medical certificate must display a **date of issue** and an **expiry date** that is not more than 12 months after the date of issue. The medical certificate must be displayed by the driver at any time upon request.

The following is taken from the Road Rules 2014, 267 Exemptions from wearing seatbelts

Children under 7 years of age

A child who is under 7 years of age is exempt from being secured in an approved child restraint or placed on an approved booster seat if:

1. The vehicle's driver is carrying a certificate:
 - i. that is signed by a medical practitioner, and
 - ii. that states that, in the opinion of the medical practitioner, the child should not or cannot be restrained in the appropriate approved child restraint or placed on an approved booster seat due to the child's medical condition or disability, and
2. The child is being properly restrained in a child restraint that has been designed for, and is suitable for use by, that child or children with the same medical condition or disability.

Children aged 7 years and older

A passenger that is aged over 7 years is exempt from being secured in an approved child restraint or from wearing a seatbelt if:

Non-Medical Exemption

1. the seating position within the car that he or she occupies is not fitted with a seatbelt, and
2. there is no requirement for that seating position to be fitted with a seatbelt, and
3. all passengers in the vehicle who are exempt from wearing a seatbelt are complying with the following rule:
 - o If a vehicle does not have seatbelts or approved child restraints fitted to all its passenger seating positions, a passenger who is exempt from wearing a seatbelt under this rule must not occupy a seating position that is fitted with a seatbelt or an approved child restraint if the result would be that a passenger who is not exempt from wearing a seatbelt under this rule would be required to occupy a seating position that is not fitted with a seatbelt or an approved child restraint.

Medical Exemption

1. The vehicle's driver is carrying a certificate:
 - o that is signed by a medical practitioner, and
 - o that states that, in the opinion of the medical practitioner, the person should not wear a seatbelt due to the person's medical condition, and
 - o that displays a date of issue, and
 - o displays an expiry date that is a date not more than 12 months after the date of issue, and
 - o that has not expired, and
2. They are complying with any conditions stated in the certificate, and
3. There is no other law of this jurisdiction that states that this rule does not apply in the jurisdiction of NSW.

9 Resources

Mobility Engineering

The NSW Roads and Maritime Services (RMS) have contracted Mobility Engineering to manage and administer the network of Authorised Safety Restraint Fitting Stations (ARFS) across the State of New South Wales. ARFS are authorised to install safety restraints including seat belts and baby car seat restraints.

Mobility Engineering provides technical support and advice on the correct use and installation of seat belts and car baby seat safety restraint systems. All members of the community and Restraint Fitters can contact Mobility Engineering any time during business hours for technical support or advice

Mobility Engineering contact details:

Address: 4/45 Salisbury Road, Asquith NSW 2077

Hours: Monday to Friday, 8am to 5pm

Telephone: 02 9482 4572

Facsimile 02 9482 4571

Other

- Centre for Road Safety, Child Car Seats, Transport for NSW website
<http://roadsafety.transport.nsw.gov.au/stayingsafe/children/childcarseats/index.html>
- National Child Restraint Best Practise Guidelines, Neuroscience Research Australia
<http://www.neura.edu.au/crs-guidelines>
- Kidsafe Child Restraint Guidelines <http://www.kidsafe.com.au/crguidelines>
- Kidsafe Child Restraint Guidelines Brochure
<http://www.neura.edu.au/sites/neura.edu.au/files/page-downloads/Child%20restraint%20guidelines%20brochure.pdf>

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Appendix 1: Medical Certificate & Parent Consent templates

Refer to the following pages for the medical certificate and Parent/Guardian Consent templates



MEDICAL CERTIFICATE

Date of Issue: _____

I hereby certify from this Date of Issue, that _____,
(name of child)

_____, has a disability or medical condition and in my opinion is not able to be
(date of birth)

transported in an approved child restraint or booster seat as described in Road Rules 2014 ,
rule 266 and 267. (NSW)

When travelling in a motor vehicle, _____ must comply with
(name of child)

the following conditions:

Expiry Date of Medical Certificate: _____

SIGNED for and on behalf of The Sydney Children's Hospitals Network (Randwick and Westmead)

Name: _____

Position/ designation:

Registration Number: _____

Signature: _____

Date: _____

The Sydney Children's Hospital's Network (Randwick and Westmead)
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PARENT/GUARDIAN CONSENT

Date of Issue: _____

My child, _____ DOB _____ has a disability or medical condition which means that he/she requires car seat modifications, and therefore is unable to be transported in a way that complies with Australian Standards AS/NZA 1754.

I understand the following modifications have been made:

- Modified/extended crotch strap fitted to Britax Safe 'n Sound car seat
- Up to 2 kg of additional padding (towels) used to encourage appropriate sitting position
- Other
 - _____
 - _____
 - _____

The Occupational Therapist has discussed the restraint modifications with me and has recommended the safest and most practical option available.

- I will not change the recommended method of transport or carry out further modifications without first seeking advice from a health professional.
- I will maintain the restraint in good order
- I will check that the restraint is correctly fastened and adjusted before each journey
- I will only use the non-complying restraint for my child _____
- I will as far as possible follow the manufacturer's instructions for installation and use.
- The occupational therapist has educated me on how to safely remove the prescribed modifications following the recommended period by the medical team'.

I understand that it is important that the restraint be fitted to the vehicle in the correct manner. I undertake to have the restraint fitted and approved at an authorised RTA fitting station for safety.

Parent/Guardian

Date

Occupational Therapist

Date